IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.14313 of 1998

Between:

Nalgonda District Labour Contract Co-operative Society Federation Ltd., Nalgonda, Rep. by its President K. Sree Ramulu.

..... PETITIONER

AND

1 The Engineer-in-Chief, Irrigation Department, A.P., Hyderabad.
2 The Chief Engineer, Medium Irrigation, Hyderabad.
3 The Chief Engineer, Major Irrigation, Erramanzil, Hyderabad.
4 The Superintending Engineer, S.L.B.C. Circle-I&II, G.V. Gudem, Nalgonda.
5 The Superintending Engineer, Irrigation Circle, Red Hills, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue Writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents not reserving at least 15% of the works for entrustment to the Individuals or societies of weaker sections is illegal, arbitrary and violative of Government orders and consequently direct the respondents to reserve at least 15% of the works for entrustment to the Individuals or societies of weaker sections belonging to SC/ST/Wadderas in all class of works or type of works time to time called for tenders.

Counsel for the Petitioner: MR.KOONA REDDY ANJI REDDY

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following:

ORDER:

This writ petition is filed seeking to direct the respondents to reserve at least 15% in all types of works for entrustment to the individuals or societies of weaker sections belonging to Scheduled Caste/Scheduled Tribe/Wadderas as per G.O.Ms.No.398, dated
05-09-1990.

Heard the learned counsel for petitioner and learned Government Pleader appearing for the respondents.

Learned counsel for the petitioner contends that as per G.O.Ms.No.398, dated 05-09-1990, in all types of works 15% of works have to be entrusted to the unskilled workers of weaker sections belonging to Scheduled Caste/Scheduled Tribe/Wadderas.

But, a perusal of the counter-affidavit filed by the respondents clearly indicates that the 4th respondent is in-charge of major irrigation works, consisting of all skilled nature of works requiring heavy machinery and equipment, therefore, the reservation of 15% of works for individuals and societies of weaker section does not arise. In that view of the matter, the contention of the learned counsel for the petitioner that as per G.O.Ms.No.398, dated 05-09-1990, 15% of works have to be entrusted to the unskilled workers of weaker sections, cannot be accepted for the reason that the works are not meant for any unskilled workers and they are meant for only skilled workers. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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N.V. RAMANA, J.

Date: 22.02.2005

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Engineer-in-Chief, Irrigation Department, A.P.,
Hyderabad.
2 The Chief Engineer, Medium Irrigation,
Hyderabad.
3 The Chief Engineer, Major Irrigation,
Erramanzil, Hyderabad.
4 The Superintending Engineer, S.L.B.C. Circle-I&II,
G.V. Gudem, Nalgonda.
5 The Superintending Engineer, Irrigation Circle,
Red Hills, Hyderabad.

6 Two CCs to GP for Irrigation and Commercial Area Development, High

Court of AP, Hyderabad (OUT)

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